



TOWN OF KNIGHTDALE

950 Steeple Square Court
Knightdale, NC 27545
KnightdaleNC.gov

ORDINANCE #19-04-17-002

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF KNIGHTDALE TO MODIFY ADMINISTRATIVE AGENCIES AND BOARDS AND THE SPECIAL USE PERMIT PROCESS

WHEREAS, the Town of Knightdale has initiated a text amendment to amend Chapter 14.4(A) “Land Use Review Board” to ensure consistency in processes, Chapter 14.4 (B) “Old Town Advisory Board to remove references of the Old Town Advisory Board, Chapter 15.5(E) “Special Use Permit – Major Subdivisions”, and Chapter 15.5(F), “Special Use Permit” to remove the Land Use Review Board meeting and second Town Council meeting from the process; and

WHEREAS, the petition also includes the amendment of other remaining chapters of the Unified Development Ordinance that may be affected by the proposed amendments, such as updating code section references and locations, the use matrix, the ordinance table of contents and index, as well as adding/amending definitions in Chapter 19 for consistency; and

WHEREAS, the Town of Knightdale Unified Development Ordinance Section 15.6(B) establishes uniform procedures for amending the text of the Ordinance; and

WHEREAS, the zoning text amendment is consistent with the adopted comprehensive plan. The amendment is consistent with the Community Facilities and Services guiding principle. In particular it is consistent with embracing an expanded approach to open governance that includes creative outreach and effectively solicits community involvement, collaborative partnerships, and resource sharing; and

WHEREAS, it is further reasonable and in the public interest as it promotes best practices for evidentiary hearings;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Knightdale, North Carolina:

SECTION 1. That Chapter 14 of the Unified Development Ordinance of the Town of Knightdale Code is amended to read as follows:

Chapter 14. ADMINISTRATIVE AGENCIES AND BOARDS

14.1 Purpose and Intent

For the efficient and effective administration of this Ordinance, the agents, boards and committees described herein are established along with their respective rules, procedures, duties and responsibilities.

14.2 Administrator

The authority to establish an Administrator for the Town of Knightdale is granted under the provisions of N.C.G.S. 160A §§ 361 and 373. The various provisions of this Ordinance shall be administered by the Knightdale Planning Department under the primary direction of the Planning Director. Administrative decisions may be appealed to the Land Use Review Board (*see Section 15.11*). For the purposes of the administration of this Ordinance, the Planning Director and subordinate staff are collectively referred to as the Administrator. In addition to any general actions necessary for the administration of the requirements of this Ordinance, the Administrator shall have the following specific duties and responsibilities:

- A. **Record and File Management:** To maintain records in accordance with municipal records retention laws adopted by the General Assembly;
- B. **Planning Process Applications:** To establish application requirements and schedules for submittal and review of applications and appeals;
- C. **Plan Review:** To review and approve, approve with conditions, or disapprove plan applications submitted pursuant to this Ordinance;
- D. **Recommendations:** To review and make recommendations to the Town Council on applications involving legislative matters;
- E. **Professional Assistance:** To provide expertise and technical assistance to the Town Council, upon request;
- F. **Ordinance Interpretation:** To make determinations and render interpretations of this Ordinance;
- G. **Code Enforcement:** To enforce the provisions of this ordinance in accordance with Chapter 18: *Violations and Penalties*
- H. **Board and Committee Staff:** To serve as staff to the boards and committees established herein; and
- I. **Delegation of Certain Duties:** To designate appropriate other person(s) who shall carry out the powers and duties of the Administrator.

14.3 Board of Adjustment Responsibilities and Duties

- A. **Town Council:** The Town Council shall serve as the Board of Adjustment in cases of Appeals of decisions by the DRC (*Section 15.5C*) and Special Use Permits (*Section 15.5E*). Hearings shall be conducted in accordance with the provisions of the UDO and N.C.G.S. §160A.388 as may be amended from time to time.
- B. **Land Use Review Board (LURB):** The LURB shall serve as the Board of Adjustment in cases of Design Exceptions (*Section 15.5B*), Appeals of decisions by the Administrator (*Section 15.5C*), Variances (*Section 15.5E*) and any other matters the LURB is required to act upon in a quasi-judicial manner as directed by any other town ordinance or state law. Hearings shall be conducted in accordance with the provisions of the UDO and N.C.G.S. §160A.388 as may be amended from time to time.

14.4 Boards and Committees

The authority to establish various boards and committees is found throughout Chapter 160A of the General Statutes, including N.C.G.S. 160A §§ 19, 361, 387, 388 and 456(c). The Town has established the following boards and standing committees which shall follow the rules of procedure as adopted by the respective board or committee:

- Land Use Review Board (LURB)
- Development Review Committee (DRC)

A. Land Use Review Board (LURB): For the purposes of this Ordinance, the LURB shall serve as the Town's Planning Board, the Community Appearance Commission and the Tree Board. Furthermore, a portion of the LURB membership shall serve as the Board of Adjustment for cases identified in Section 14.3.

1. Appointment and Terms

- a. **Number:** There shall be a LURB consisting of nine (9) members.
 - i. **Town Members:** Six (6) members, appointed by the Town Council, shall reside within the corporate limits. Three (3) of the Town Council appointees shall also be named as quasi-judicial voting members of the Board of Adjustment.
 - ii. **ETJ Members:** Three (3) members appointed by the Wake County Board of Commissioners, shall reside within the Town's extra-territorial jurisdiction. Two (2) of the Wake County Board of Commissioners appointees shall also be named as quasi-judicial voting members of the Board of Adjustment. If despite good faith efforts, enough residents of the ETJ cannot be found to fill the seats reserved for residents of such area, then the Wake County Board of Commissioners may appoint other residents of the county (including residents of the Town) to fill these seats. If the Wake County Board of Commissioners fails to make these appointments within 90 days after receiving a resolution from the Town Council requesting that they be made, the Town Council may make them.
- b. **Board of Adjustment Alternates:** The remaining four (4) LURB members not named as quasi-judicial voting members of the Board of Adjustment in subsections 1(a)(i) and 1(a)(ii) above shall serve as voting alternates. When not filling in as an alternate for absent or excused named voting members of the Board of Adjustment, the remaining LURB members may participate in the quasi-judicial deliberations and fact finding efforts; however, they may not vote.
- c. **Citizen Planning Academy:** Prior to being seated with full voting rights, newly appointed members shall be required to attend and complete the Town's Citizen Planning Academy or its training equivalent. The Academy is a function of the Town's Planning Department and is also open to the general public. It shall be offered at least once each year to ensure that any LURB appointee will have the opportunity to take the class prior to attending their first LURB meeting.
- d. **Staggered Terms:** LURB members shall be appointed for two-year (2 year) staggered terms. Members shall continue to serve until their successors have been appointed.
- e. **Term Limits:** No person, either appointed or re-appointed by the Town Council, may serve more than three (3) consecutive full terms on LURB. A person who has

served three (3) consecutive full terms shall be eligible for re-appointment after a lapse in service of at least 12 months.

- f. **Attendance:** In-town members of the LURB may be removed by the Town Council at any time for failure to attend three (3) consecutive meetings or for failure to attend 75 percent (75%) or more of the meetings within any 12-month period or for any other good cause related to performance of duties. ETJ members who fail to attend three (3) consecutive meetings or who fail to attend 75 percent (75%) or more of the meetings within any 12-month period or for any other good cause related to performance of duties shall be recommended for removal to the Wake County Board of Commissioners.
- g. **Relocation:** If a town member moves outside the town, or if an ETJ member moves outside the extra-territorial planning jurisdiction, that shall constitute a resignation from the board.

2. Officers

- a. **Elections and Terms:** At the first regularly scheduled meeting following the annual appointment of members, the LURB shall select from among its members a Chair and Vice-Chair. These officers shall serve for a period of not more than two (2) consecutive 1-year terms in the same capacity.
- b. **Responsibilities and Duties:** The Chair shall preside over the LURB as a non-voting member (except in the case of breaking a tie), decide all points of order or procedure using the latest edition of "*Robert's Rules of Order*", and transmit reports and recommendations of LURB to the Town Council. The Vice-Chair shall assume the duties of the Chair in his/her absence. The Chair and Vice-Chair may take part in all deliberations during the legislative segment.
- c. **Board Clerk Assigned:** The clerk to the LURB shall be a Town staff member assigned by the Administrator.

3. Meetings

- a. **Schedule:** The LURB shall establish a regular meeting schedule and shall meet frequently enough, at least monthly if necessary, so as to take action as expeditiously as possible on the items of business.
- b. **Open Meetings:** All LURB meetings shall be open to the public, and whenever feasible, the agenda for each meeting shall be made available in advance of the meeting.
- c. **Rules of Procedure:** All meetings shall be conducted using the latest edition of "*Robert's Rules of Order*". The LURB may adopt rules of procedure governing its quasi-judicial procedures and operations not inconsistent with the provisions of this Ordinance.
- d. **Board of Adjustment Items:** The meetings of the LURB shall include a segment dedicated to the Board of Adjustment, including but not limited to final quasi-judicial decisions on appeals, variances, interpretations and other items as required by this Ordinance. This portion of the meeting shall precede legislative action items on the LURB's agenda. A separate record of minutes and attendance shall be kept of all segments of LURB meetings dedicated to the Board of Adjustment.

4. Responsibilities and Duties

- a. **Board of Adjustment:** See Section 14.3

b. **Planning Board:** Subject to authorization, referral or budget appropriation by the Town Council the LURB shall have the following legislative responsibilities and duties related to planning and zoning:

- i. To develop plans and prepare studies for the orderly growth and development of the Town of Knightdale and its environs. Such plans shall set forth goals, objectives and policies designed to manage the quantity, type, cost, location, timing and quality of development and redevelopment in the Knightdale community;
- ii. To seek to coordinate the activities of individuals and public or private agencies and organizations whose plans, activities and programs bear on the general development of the community;
- iii. To formulate and recommend to the Town Council the adoption or amendment of ordinances that, in the opinion of the LURB will serve to promote the orderly development of the community in accordance with the Comprehensive Plan;
- iv. To conduct public meetings and hearings, giving reasonable notice to the public thereof;
- v. To review and make recommendations to the Town Council on proposed amendments to the zoning map, UDO, or Comprehensive Plan.
- vi. To exercise such other powers and to perform such other duties as are authorized or required elsewhere in this Ordinance, the N.C.G.S., or by the Town Council;
- vii. To review and make recommendations to the Town Council on proposed applications for Conditional Districts, Planned Development Districts and Vested Rights.

c. **Community Appearance Commission:** Subject to authorization, referral or budget appropriation by the Town Council the LURB shall have the following legislative responsibilities and duties related to the appearance and beautification of the Town:

- i. To initiate, promote and assist in the implementation of programs for general community beautification within the Town's corporate limits and ETJ;
- ii. To seek to coordinate the activities of individuals and public or private agencies and organizations whose plans, activities and programs bear on the appearance of the community;
- iii. To provide leadership and guidance in matters of community design and appearance to individuals and public or private agencies and organizations;
- iv. To direct the attention of appropriate Town officials to needed enforcement of any ordinance that may affect the appearance of the community;
- v. To seek voluntary adherence to the standards and policies of its plans.
- vi. To formulate and recommend to the Town Council the adoption or amendment of ordinances (*including the UDO and other local ordinances regulating the use of property*) that will, in the opinion of the commission, serve to conserve

the Town's natural beauty, visual character and charm by insuring that structures, signs and other improvements are properly related to their sites, and to surrounding sites and structures, with due regard to the aesthetic qualities of the natural terrain and landscaping, and that proper attention is given to the exterior appearance of structures, signs and other improvements.

- d. **Tree Board:** Subject to authorization, referral or budget appropriation by the Town Council the LURB shall have the following legislative responsibilities and duties related to the protection and planting of trees within the Town:
- i. To develop, implement and update a written plan for the care, preservation, growth, planting, protection and removal of trees within street rights-of-way, public parks and other municipal properties;
 - ii. To support and facilitate the planting, growth and protection of trees within the Town, organizing and enlisting both public and private resources;
 - iii. To conduct periodic surveys of street trees and other trees within the community to determine the composition and condition;
 - iv. To provide, sponsor and facilitate the organization of workshops, the preparation of publications and the dissemination of information to the public, tree companies and public utilities concerning the proper care, pruning, protection, planting and removal of trees, particularly street trees and other trees on municipal property; and
 - v. To provide advisory assistance to private property owners concerning the appropriate care and planting of trees.

5. Quorum and Voting

a. Legislative Items

- i. **Quorum:** A quorum shall be the simple majority of the LURB membership excluding vacant seats. A quorum is necessary to take official action.
- ii. A member who has withdrawn from the meeting without being excused shall be counted as present for the purposes of determining whether a quorum is present.
- iii. All actions of the LURB during the legislative portion shall be taken by simple majority vote of those present and voting, a quorum being present.
- iv. All members of the LURB shall serve as voting members during the legislative portion except the Chair as noted in subsection "2b" above.
- v. Once a member is physically present during the legislative portion of a LURB meeting, any subsequent failure to vote shall be recorded as an affirmative vote unless the member has been excused.
- vi. Since the legislative portion of the LURB has advisory authority, it need not conduct its meetings strictly in accordance with quasi-judicial procedures. However, it shall conduct its meetings so as to obtain necessary information and to promote the full and free exchange of ideas.
- vii. During the legislative portion of the LURB meeting, the entire Board shall formulate recommendations on matters referred to it by the Town Council. Such matters shall include but not be limited to: zoning map amendments, zoning text amendments, planned development districts and amendments to the Comprehensive Plan.

b. Board of Adjustment Cases

- i. **Quorum:** A quorum for the quasi-judicial segment involving Board of Adjustment cases shall consist of a super-majority (*four-fifths*) of the Board of Adjustment membership (*excluding vacant seats or disqualified members in the absence of qualified alternates*) for Variance cases and equal to a simple majority of the Board of Adjustment membership for all others. A quorum is necessary for the LURB to take action.
- ii. A member who has withdrawn from the meeting without being excused shall be counted as present for purposes of determining whether a quorum is present.
- iii. Concurring vote of a super-majority (*four-fifths*) of the regular voting membership (*excluding vacant seats or disqualified members in the absence of qualified alternates*) shall be necessary to grant any Variance. All other actions during the quasi-judicial segment shall be taken by simple majority vote of the eligible voting members.
- iv. Once a member is physically present during the quasi-judicial segment of a LURB meeting, any subsequent failure to vote shall be recorded as an affirmative vote unless the member has been excused in accordance with subsection "v" below. If a quasi-judicial voting member is either absent from the LURB meeting or has been excused in accordance with this Ordinance, he or she shall be replaced by an alternate at any time during the quasi-judicial portion.

- v. A member shall be excused from voting on a particular issue by majority vote of the remaining quasi-judicial voting members present under the following circumstances:
 - a) If the member has a direct financial interest in the outcome of the matter at issue; or
 - b) If the matter at issue involves the member's own official conduct; or
 - c) If participation in the matter might violate the letter or spirit of a member's code of professional responsibility; or
 - d) If a member has such close personal ties to the applicant that the member cannot reasonably be expected to exercise sound judgment in the public interest; or
 - e) If a member has had undisclosed ex parte communications; or
 - f) If a member has a fixed opinion prior to hearing that matter that is not susceptible to change.
- vi. A roll call vote shall be taken upon the request of any member.

- 6. **Annual Report:** At least once a year, the Chair of the LURB shall submit to the Town Council an annual report summarizing its activities during the previous year.

B. Development Review Committee (DRC)

1. **Responsibilities and Duties:** The Development Review Committee shall have the following duties and responsibilities:
 - a. **Preliminary Plat/Site Plan Approval:** Upon reviewing the plans for adherence to the UDO, the DRC may take the following action with regard to preliminary plat subdivisions and site plans:
 - Approve or deny the preliminary plat subdivision or site plan; or
 - Recommend major and/or minor changes to the preliminary plat or site plan to be considered by the developer; or
 - Conditionally approve preliminary plats or site plans subject to final review by the Administrator; or
 - Table the preliminary plat or site plan for further study or additional information; or
 - Forward the preliminary plat or site plan to the Town Council for further consideration.

Any of the preceding actions taken that involves a final decision by the DRC may be appealed to the Town Council (*see Section 15.11*).
 - b. **Schedule:** The DRC shall establish a regular meeting schedule and shall meet frequently enough, at least monthly if necessary, so as to take action as expeditiously as possible on the items of business.
 - c. **Planning Process Application Technical Requirements:** The DRC shall establish the technical requirements for all applications including submission schedules, size and number of drawings, type of media, etc.
2. **Membership:** The DRC shall be chaired by the Planning Director and consist of the following additional members:
 - Two (2) Planning Department Representatives
 - Two (2) Town Council members as non-voting, ex officio members
 - Town Fire Chief or Designee
 - One (1) Public Works Department Representative
 - One (1) Parks and Recreation Department Representative
 - Town Engineer or Designee
 - Town Manager

SECTION 2. That Chapter 15.5(E) of the Unified Development Ordinance of the Town of Knightdale Code is amended to read as follows:

E. Special Use Permits – Major Residential Subdivisions (5 or more lots)

1. **Applicability:** A Special Use Permit (SUP) for a major residential subdivision (5 or more lots) allows individual consideration of their location, design, configuration, and/or operation at the particular location proposed in order to mitigate and prepare for potential impacts on the neighborhood and/or town as whole.

2. **Neighborhood Meeting:** A pre-submittal neighborhood meeting is required as outlined in 15.3(C).
3. **Board Powers and Responsibilities:** The processing of a SUP shall be conducted by the Town Council. During the public hearing, all parties presenting evidence shall be duly sworn.
 - a. **Required Findings of Fact:** The burden of proof of producing evidence to support these Findings of Fact and to overcome any challenges that approval of the plan would be contrary to one or more of these Findings of Fact shall rest entirely with the applicant or landowner. The evaluation and approval of the SUP shall be based upon the sworn testimony and evidence both in favor and against the SUP application presented at the hearing relevant to the following Findings of Fact:
 - i. The proposed special use conforms to the character of the neighborhood, considering the location, type and height of buildings or structures and the type and extent of vegetation on the site.
 - ii. The proposed use will not cause undue traffic congestion or create a traffic hazard.
 - iii. Adequate utilities (water, sewer, drainage, electric, etc.) are available for the proposed use.
 - iv. The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning districts.
 - v. The public health, safety, and welfare will be assured to not substantially injure the value of adjoining property and associated uses if located where proposed.
 - vi. The application will not substantially injure the value of adjoining or abutting property.
 - vii. The proposal meets all required principles and specifications of the UDO, unless excepted, and adopted land use plans, is in harmony with the general purpose and intent and preserves its spirit.
 - b. **Conditions to Motion:** In approving an application for a SUP, the Town Council may attach fair and reasonable conditions on the location, nature and extent of the proposed use which support the required Findings of Fact, including those voluntarily consented to or proposed by the applicant or property owner. The Town Council may not require the landowner to waive a vested right as a condition of the SUP approval. The applicant shall have up to 30 calendar days to consider and respond to any additional requirements prior to approval or denial by the Town Council.
 - c. **Variation:** The various provisions of Chapters 4-12 may be varied if specifically requested by the petitioner and is substantiated by material competent evidence during the public hearing.
4. **Effect of Approval:** If an application is approved, the SUP that is established and all conditions which may have been attached to the approval are binding on the property. All subsequent development and use of the property must be in accordance with the approved plan and conditions. The applicant must record at the Wake County Register of Deeds office the approved SUP and submit a copy of the recorded document(s) to the Town.
5. **Substantial Changes:** Any substantial change to a SUP that results in the increase of the intensity, density or character of the use shall be approved or denied by the Town Council as an amended SUP. Minor field alterations or minor revisions to approved SUPs may be approved by the Administrator if the special use still meets the intent of the standards established with the original approval.

6. **Time Limit on Approval:** The applicant must record a final plat within a 24-month period from date of approval of the SUP unless otherwise specified.
7. **Rescission or Extension of Special Use Permits:** The Town Council may completely rescind or extend for a specified period of time a SUP after notice by the Administrator and subsequent hearing upon one (1) or more of the following grounds:
 - a. The project is not complete or a final plat is not in place at the end of the 24-month approval period; or
 - b. Failure to comply with the additional standards specified in Section 3.3; or
 - c. Substantial change to Local, State, or Federal law that may affect the ability to complete the subdivision as proposed or affects the validity of the Special Use Permit.

8. **Procedure:**

SUBMITTAL REQUIREMENTS	REVIEWING AUTHORITY	ACTION TO BE TAKEN	APPEAL PROCESS
Sketch Plan (16.4) w/ Environmental Survey (16.2A)	Administrator	For Non-Binding Review Only	n/a
Special Use Permit w/ Master Plan (16.5)	Administrator	Review for Completeness & Ordinance Compliance; Issue Staff Report	n/a
	Town Council	Evidentiary Public Hearing; SUP Approved – or – Denied	Superior Court
	DRC	Master Plan Review	Town Council
Construction Documents (16.6) w/Environmental Survey (16.2B)	Administrator	Review for Completeness & Ordinance Compliance; CIP Issued - or - Denied	LURB

SECTION 3. That Chapter 15.5(F) of the Unified Development Ordinance of the Town of Knightdale Code is amended to read as follows:

F. Special Use Permits

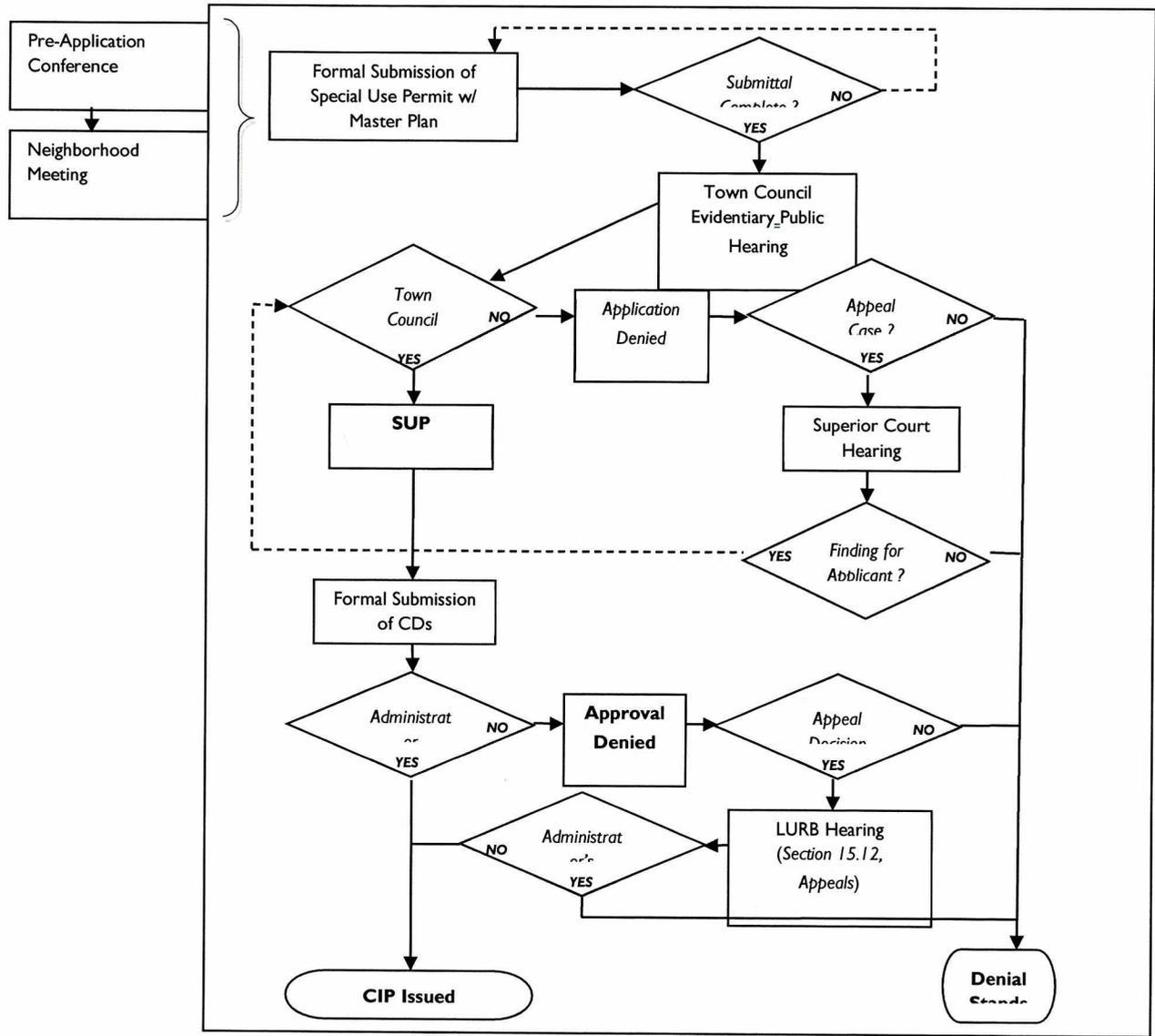
1. **Applicability:** A Special Use Permit (SUP) ensures the appropriateness of the use at a particular location within a given District. Special Uses are generally compatible with the land uses permitted by right in a District, but which require individual review of their location, design and configuration so as to evaluate the potential for adverse impacts on adjacent property and uses. Only those uses enumerated (*Section 2.3C*) as required SUP's in a District may be authorized by the Town Council.
2. **Neighborhood Meeting:** A pre-submittal neighborhood meeting is required as outlined in 15.3(C).
3. **Board Powers and Responsibilities:** The processing of a SUP shall be conducted by the Town Council. During the public hearing, all parties presenting testimony and evidence shall be duly sworn.

- a. **Required Findings of Fact:** The burden of proof of producing evidence to support these Findings of Fact and to overcome any challenges that approval of the plan would be contrary to one or more of these Findings of Fact shall rest entirely with the applicant or landowner. The evaluation and approval of the SUP shall be based upon the sworn testimony and evidence both in favor and against the SUP application presented at the hearing relevant to the following Findings of Fact:
 - i. The use meets all required principles and specifications of the UDO and any adopted land use plans, is in harmony with the general purpose and intent and preserves its spirit;
 - ii. The proposed plan as submitted and approved will be visually and functionally compatible with the surrounding area; and
 - iii. The public health, safety and welfare will be assured to not substantially injure the value of adjoining property and associated uses if located where proposed.
 - b. **Conditions to Motion:** In approving an application for a SUP, the Town Council may attach fair and reasonable conditions on the location, nature and extent of the proposed use which support the required Findings of Fact. The Town Council may not require the landowner to waive a vested right as a condition of the SUP approval. The applicant shall have up to 30 calendar days to consider and respond to any additional requirements prior to approval or denial by the Town Council.
4. **Effect of Approval:** If an application is approved, the SUP that is established and all conditions which may have been attached to the approval are binding on the property. All subsequent development and use of the property must be in accordance with the approved plan and conditions. The applicant must record at the Wake County Register of Deeds office the approved SUP and submit a copy of the recorded document(s) to the Town.
5. **Substantial Changes:** Any substantial change to a SUP that results in the increase of the intensity, density or character of the use shall be approved or denied by the Town Council as an amended SUP. Minor field alterations or minor revisions to approved SUPs may be approved by the Administrator if the special use still meets the intent of the standards established with the original approval.
6. **Time Limit on Approval:** The applicant must secure a valid building permit within a 24-month period from date of approval of the SUP unless otherwise specified.
7. **Rescission or Extension of Special Use Permits:** The Town Council may completely rescind or extend for a specified period of time a SUP after notice by the Administrator and subsequent hearing upon one (1) or more of the following grounds:
 - a. The project is not complete or a valid building permit is not in place at the end of the 24-month approval period; or
 - b. Failure to comply with the additional standards specified in Section 3.3; or

- c. Operating an establishment disruptive of peace and good order as evidenced by lack of sufficient on-premises security and specifically by a conviction of a criminal offense, a material element of which occurred on the premises; or
- d. Excessive criminal activity on or near the premises if the Town Council finds that the operation of the establishment is related to such criminal activity or attracts transients or other persons who have been involved or are likely to be involved in such criminal activity.

8. Procedure:

SUBMITTAL REQUIREMENTS	REVIEWING AUTHORITY	ACTION TO BE TAKEN	APPEAL PROCESS
Sketch Plan (16.4) w/ Environmental Survey (16.2A)	Administrator	For Non-Binding Review Only	n/a
Special Use Permit w/ Master Plan (16.5)	Administrator	Review for Completeness & Ordinance Compliance; Issue Staff Report	n/a
	Town Council	Evidentiary Public Hearing; SUP Approved – or - Denied	Superior Court
	DRC	Master Plan Review	Town Council
Construction Documents (16.6) w/Environmental Survey (16.2B)	Administrator	Review for Completeness & Ordinance Compliance; CIP Issued - or - Denied	LURB



Pre-Application Conference

Neighborhood Meeting

Formal Submission of Special Use Permit w/ Master Plan

Submittal Complete?

NO

YES

Town Council Evidentiary Public Hearing

Town Council

NO

YES

SUP

Formal Submission of CDs

Administrat

NO

YES

CIP Issued

Approval Denied

Appeal Decision

NO

YES

LURB Hearing Section 15.12 Appeals

Administrat

NO

YES

Denial Stands

Application Denied

Appeal Case?

NO

YES

Superior Court Hearing

Finding for Abbcant?

YES

NO

SECTION 4. That all laws and clauses of law in conflict herewith are hereby repealed to the extent of said conflict.

SECTION 5. That if this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of this ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable.

SECTION 6. That this ordinance has been adopted following a duly advertised public hearing of the Town Council and following review and recommendation by the Land Use Review Board.

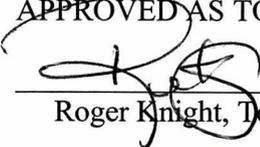
SECTION 7. That this ordinance shall be enforced as provided in G.S. 160A-175 or as provided for in the Knightdale Town Code.

SECTION 8. That this ordinance shall become effective upon its adoption by Town Council.

Adopted this 17th day of April, 2019

BY: 
James A. Roberson, Mayor

ATTEST: 
Heather M. Smith, Town Clerk

APPROVED AS TO FORM:

Roger Knight, Town Attorney